MINUTES OF REGULAR MEETING

January 17 - 18, 2002

WASHINGTON STATE APPRENTICESHIP AND TRAINING COUNCIL

DEPARTMENT OF LABOR & INDUSTRIES

GARY MOORE DIRECTOR

Department of Labor & Industries Tumwater, Washington

PATRICK WOODS SECRETARY OF COUNCIL

THEY WHO SERVE APPRENTICESHIP SERVE OUR NATION

WASHINGTON STATE APPRENTICESHIP AND TRAINING COUNCIL

JANUARY 17 - 18, 2002 9:00 AM

MINUTES

Chairman LaFrank Newell lead a moment of silence after the pledge of allegiance to the American flag for Mr. Guy Phillips, an employee of Boeing, who had lost his life on the job Tuesday, January 15, 2002. Chairman Newell calle the meeting to order at 9:19 AM on January 17, 2002. The roll was taken and there was a quorum of members. Greeting was given by Steve McLain, L&I Region 4 Administrator.

MINUTES: October 18 & 19, 2001 were M/S/C as written.

CERTIFICATES OF MERITORIOUS SERVICE:

<u>Name</u>	<u>Organization</u>
NEAL GRAEBER Previously issued	Northeastern Washington-Northern Idaho Sheet Metal JATC
GREG BEADLES	Northeastern Washington-Northern Idaho Sheet Metal JATC
ERNIE BENNETT	L&I Apprenticeship Coordinator I, Region 1
TED HUDLOW	North Puget Sound Carpenters JATC
PAUL SCALES	Vancouver Machinist and Automotive Machinists JATC
JOHN MCBRIDE	Puget Sound Electrical JATC
LARRY CORBIN	The Department of Labor and Industries
JOSH SWANSON	The Department of Labor and Industries
CORRESPONDENCE:	

M/S/C as attached.

REPORTS:

Labor and Industries Affirmative Action Advisory Committee

Lisa Rose reported: "The Affirmative Action Committee met yesterday afternoon directly after the Coordinators' meeting. Congratulations were extended to Tonya Sayers, the new apprenticeship coordinator for Laborers Local 440, and then the new graduates.

A Power Point presentation was made by John Little from the Seattle King County Building Trades Council, Rich Feldman and M.J. Davidson from the Workers Center Trade Center Network regarding an on-site mentoring program model. The model was developed by the Building and Trades Council of the Workers Center in conjunction with the Houton Dreight & Associates and the Apprenticeship Opportunity Project and the Office of Port Jobs.

The first program will start probably next month on three of Seattle's downtown projects with Hoffman

Construction. Future sites include the Sea-Tac Airport Expansion Project and Sound Transit. The model will be available to anyone who's interested in it.

Julie Beck announced a Pierce County Women-in-Trades Fair that would be held on February 12t^h, and the Washington Women-in-Trades Fair will be held May 3rd and 4th at Seattle Center. For additional information, you can check your web sites or talk with Judy. Thank you.

Labor and Industries ARTS Upgrade

Nancy Mason read the report into the record: "Mr. Chairman, the Labor and Industries ARTS Upgrade Project is in its current first phase after receiving the monies from the OFM State additional government monies. We're currently in the planning-and-analysis phase, which is getting the project really up and running.

The Scope of the project includes sharing information with Employment Security; keeping our single point of access on the web page updated with current apprenticeship information; updating L&I Apprenticeship Record and Tracking System, also know as ARTS, to new technology; and an Internet user application possibly providing Internet access to all programs, employers, and apprentices to view their records; sharing data with the federal aim system, including upgrading our DOT codes, SOC codes, and SIP codes and other codes as the national office develops; creating an industrial-strength Internet application to maintain wage information to interface with the Prevailing Wage Section or other parts of Labor and Industries."

Employment Security Department

Ken Pugh had nothing to report about UI or CAT. He reported that ESD will be funding ten customized training projects for dislocated and incumbent workers with employees represented from the health care industries, the retail and wireless communication, manufacturing, and trades.

Three he mentioned by name were the Benton Franklin Workers Skill Updating and Certification Project – who will be getting approximately \$169,000 in Workforce Investment Act funds. ESD will be partnering with the Benton Franklin Workforce Development Council to provide training to approximately 440 dislocated and incumbent workers in the industrial and construction industries.

Another ESD project to be funded is the Spokane Worker upgrade and Employment Project for approximately \$125,000. This will include the Spokane Workforce Development Council and, again, the Western States Operating Engineers Institute of Training. That project will be training approximately 335 dislocated and incumbent workers in mining, heavy highway paving, and building and construction industries.

The third and last project that he mentioned is the Job Skills for Trade Industry, a new project for approximately \$250,000. It will provide eligible women, minorities, and others with an apprenticeship in nontraditional employment, preparation activities with a goal of placing 70 percent in apprenticeship or nontraditional trades-related employment.

Apprenticeship Training, Employer, and Labor Services (ATELS)

Ron Johnson read the report. In December, ATELS regional directors met with the NASTAD Executive Board and national program sponsors to discuss the direction of and support for the National Apprenticeship System. Representatives of the Secretary of Labor's Office also attended and participated in this meeting.

The National Registered Apprenticeship System has not enjoyed, in recent memory, the apparent commitment of this secretary's office to supporting the registered apprenticeship community. Several grants, initiatives, and actions are currently under development at the national level. All are designed to assist our local, federal, and state offices in expanding apprenticeship into new industries and occupations, raising the profile of the entire system, ensuring quality training and equal opportunity for both businesses and workers, and to create a usable and reliable database system that supports sponsors, state, and federal apprenticeship professionals with the information they need when they need it.

Last October a report commissioned by the U.S. House of Representatives Committee on Workforce and

Education was released. The Government Accounting Office conducted a review of the Registered Apprenticeship System by interviewing state and federal registration agencies and system participants. It made several recommendations under the heading that the Federal Department of Labor could do more to expand apprenticeship to get other industries and occupations.

Specific recommendations included: Are we to lead a systematic effort – specific recommendations for executive action included recommending that we lead a systematic effort to work with state apprenticeship councils and agencies and others interested to identify apprenticable occupations that have skill shortages and establish plans for promoting apprenticeship programs in these occupations.

We're to work with other federal workforce development programs to identify funding for developing apprenticeships when additional support is needed.

We're to establish a mechanism for sharing among labor representatives and businesses information of apprenticeship programs, particularly those in occupations not traditionally apprenticed.

And we're to ensure that the apprenticeship database contains detailed information on current programs so that accurate and complete information is shared and progress in meeting labor market needs can be evaluated.

The conclusion drawn by the GAO report provided support and stimulus to the national office of ATELS. These are reflected in the following initiatives.

Advancing apprenticeship initiatives, marketing proactive approval of competency-based training programs, review and revision of the federal regulation, improved training for state and federal field staff, and the development of promotional tool kits so that a consistent message can be taken to particular industries as to how apprenticeship can meet their training needs.

There is an initiative to develop a diversity providers' bank. This is a demonstration project that is intended to develop a successful technical assistance model to enhance and strengthen the national system. Providers will be funded to assist state systems and sponsors needing and requesting help to increase their capacity to recruit, retain, and place populations currently underrepresented in apprenticeship.

For example, as I understand this particular initiative, a program that's been very successful here locally, the Trade Mentor Network, could actually be put under contract by the consulting agency and hired essentially to provide the same type of overview and setup information to other states around the country. So rather than everyone being expected to develop something from scratch, we would be able to actually build on a successful model.

There's an initiative with the Hospital Corporation Association. Department of Labor has matched \$5 million in funding provided by HCA to assist in developing apprenticeship programs for high-demand occupations in the health care industry. The programs would be targeted for many occupations, not limited to RN, LPN, PNA, but would include medical assistants, radiologists, insurance billing, and verification workers, et cetra.

The federal highway forums with the Department of Transportation. DOT has given the Department of Labor apprenticeship training \$250,000 to hold five forums around the country to explore providing long-term training and occupational opportunities for the federal highway trainee programs. Forums will be held in February, March, and April, with the nearest forum to Washington State being held in Las Vegas on March 13 and 14.

A primary objective is to examine the training programs in context of registered apprenticeship. Obviously there's been a lot of talk about homeland security since the events of September 11. Security has become a primary concern, particularly as it relates to air transportation. Apprenticeship is being examined as an available means for training airport security personnel.

There's a CompTIA initiative. The Computer Technology Industry Association is currently designing, developing, testing, and assessing an information technology apprenticeship model for five pilot sites in the U.S. CompTIA will also create a foundational infrastructure to market and support information technology apprenticeships.

There was \$160,000 given for what we call NASTAD grants. Those are the state apprenticeship agencies, of

which Washington is a member, to develop and implement strategies that would enhance apprenticeship.

For example, Montana has recently developed an Internet access to related training to specifically address the unique challenges facing programs operating in rural areas.

Ohio has, in cooperation with the Ohio Civilian Conservation Corps and the Ohio Building Construction Trade, designed a curriculum for a collaborative pre-apprenticeship training program.

Wisconsin has developed a transition-to-trainer model designed for last-term apprentices to prepare people to assume responsibility for the training of new apprentices once they graduate. The SAC surveyed apprentices and found one of the system's primary weaknesses was the apparent lack of commitment to training by journey workers in the workplace. Apprentices reported that their journey workers often seemed less than completely thrilled by training them, and so the solution they came upon was to actually train newly graduating apprentices in the art of doing this.

All of these products are expected to be rolled out and made available to any state or federal registration agency by the middle of summer.

I think you've probably been talked to before about the H1B grant solicitations. Those are the high tech technical skills training grants that are essentially funded by businesses' application for foreign workers. The fund runs around \$200 million a year, and historically 75 percent of that money was set aside for local businesses to work with their local workforce investment boards to develop training programs to train American workers in these skill sets that, for whatever reason, the company feels they could only find from foreign workers.

Well, recently, the remaining 25 percent of the money has been made available for collaboration on the part of business associations, labor organizations, to essentially collaborate and provide training programs kind of outside the local, immediate direction of a local workforce board.

So essentially, this 25 percent money is available. The grant solicitations are out there. The deadline, I thing, is February 19, and we do have web page information and where you can go on our web site to access that.

Finally, we've also, as part of the marketing campaign, also developed specifically targeted brochures for trying to encourage businesses to participate in apprenticeships. So we have what we call "employer brochures." I've left a sampling on the back table.

And while they're kind of general and generic in terms of the National Apprenticeship System, there's a place there where the state could – or state field reps – could identify the State Council and L&I and use that as part of the promotional outreach package. And then we also have applicant brochures in both English and Spanish for recruiting folks into apprenticeship.

Clearly, the national system has a large challenge facing it. Registered apprenticeship community has sought acceptance, respect, and recognition for years. It really appears that now is the time that we have the possibility of lifting the system into the mainstream of public's consciousness on how best to train workers. We remain committed to helping the State of Washington in moving its apprenticeship system forward in any way that we can.

General Administration, State of Washington

John Lynch reported that the hold the Office of Financial Management put on the GA Engineering and Architectural Services Department's 01-03 Biennium Public works Project had been lifted, and that they're back in business.

They have about 30 projects funded for the 01-03 Biennium that will have mandatory apprenticeship requirements in the contracts. A list of these projects were provided on the handout table. Most of these projects will be bid in the next 18 months.

Another project (that's not on the list) is our Legislative Building Renovation Project. That job is under a general contract, but the subcontracts for that project will be bid also in the next year or so. There's probably

\$50 million of subcontracts on that project, and it also has an apprenticeship requirement.

Two other handouts were made available on the table. One showing the data that has been collected so far with the projects that have had a mandatory apprenticeship requirement. This is a report of the current status. Most of these projects are still under construction, so it is not known what the final numbers will be when these projects end. Some of them are just a little ways into the construction phase.

There hasn't been a single request from a contractor to lower the numbers in the contract. They can make that request if they are unable to find apprentices. So, they must be finding apprentices and the program seems to be working fine.

The other report shows the specific trades that the contractors have told us they're using on these projects. It shows the trades that they've used apprentices for and the hours for those trades. The contracts don't have a requirement based on specific trades. It's just overall apprenticeship participation for the contracts, so it's up to the contractor to choose how that's met. This is per the Executive Order.

Higher Education Board

Jerry Allin, Program Associate representing Michael Ball, reported that they are continuing with their primary responsibility of approving, disapproving, and monitoring training programs throughout the state for those eligible to receive veterans' education benefits. That they also provide training and assistance to certifying officials of those training establishments to ensure accountability and reduce liability.

As of date for this fiscal year, which began October, eight additional training establishments have been approved; two of which are apprenticeships, and six are on-the-job training programs. There is one pending on-the-job training program at a flight school in the process.

There is a total of 116 facilities throughout the state that have been approved to certify veterans for their benefits. 99% of those are currently active veterans in the program, and that represents approximately a thousand trainees throughout the state.

Mr. Allin's associate, Deborah Cline, was present and available after the session to talk with anyone from a training program who might be interested in having their program approved so their veteran trainees can receive their GI Bill benefits while working with them.

Oregon State Apprenticeship and Training Council

No report.

State Board for Community and Technical Colleges

Beth Arman, on behalf of Jim Crabbe read the report into the record: "The State Board of Community and Technical Colleges has two items to update the Council on. The first is the 2001-2002 Apprenticeship Reserve Funds Application. The Apprenticeship Reserve Fund has been established to assist the college system in partnership with apprenticeship programs to respond to the major economic changes and/or emergencies. Funds can be used for developing new apprenticeship programs or for expanding existing programs.

Approximately \$100,000 is available for fiscal year 2002. In that the demand for those funds exceeds the supply, it's important that requests be for bona fide emergencies, not just to supplement existing programs. Applications are available on the State Board web site at http://workforceed.com-docs-apprenticeship.htm. We encourage apprenticeship coordinators to work with their college partners to submit applications as the needs arise.

The second item is the WAC Rewrite on Vocational or Professional Technical Certification, WAC 131-16. This is the WAC that covers instructor qualifications and certification. The purposes of the rewrite are threefold: one, to align certification requirements for professional technical college instructors with the identified and published skill standards; two, to make the initial hiring of faculties easier while making the

certification process more meaningful; and three, to make the language more concise.

A work group has developed the first draft that we'll be working on gathering input from stakeholders. Yesterday Jim Crabbe gave some presentations to the apprenticeship coordinators in the general community here about what is in that WAC rewrite and what's in the skills standards.

I've placed on the back table a curriculum guide that's based on skill standards as well as Sharon Marcy's card; she is the project coordinator for that project. Every college has already received five copies of the skill standards book and the curriculum guidebook, so I would encourage apprenticeship coordinators to contract either the Dean for Professional Technical Education at their college or their college library to get more information.

Workforce Training and Education Coordinating Board

Nancy Mason read into the report for Ellen O'Brien Saunders: These are touch and challenging times. The Board is supporting short-term strategies to assist dislocated and laid-off workers such as the Governor's budget requests for the funds to enable more workers to get retraining.

But we are also looking to the future. To that end we will be testifying this afternoon in the Hours Commerce and Labor Committee in support of HCR 44-02, which is a resolution for the legislature's endorsement of High Skills, High Wages 2000. I encourage the apprenticeship community to support HCR 44-02 because it makes a strong pro-apprenticeship statement.

I also met with Nancy Mason, Patrick Woods, and Randy Loomans to discuss how we could all work together to increase the number of apprenticeships in traditional programs, and create new apprenticeship programs, and implement recommendations of your summit and other strategic policies that the Council has before it.

Finally, I have invited Nancy to join the Board's Interagency Committee, which is a leadership group between different agencies that would affect and have more interface with apprenticeship."

Washington State Coordinators' Association

Bill Bowser, on behalf of Spencer Schwegler, reported that the Washington State Coordinators' Association had their meeting yesterday at 1:30 p.m., and Nancy Mason had a report from Labor and Industries Apprenticeship Section and invited guest Jill Will, who is the Washington Jail Board Chair, and gave out certificates to coordinators who had participated in a program involving inmates that resulted in the indenture of six female and eight male individuals, into construction trades program.

Anne Wetmore from ATELS gave a report. She reported that there's growth in the health care and information technology industries. She mentioned that there were federal highway forums on incorporating and apprenticeship into federal projects taking place, and she also gave a report on workforce investment grants that were available in the \$3 million range, a total of \$20 million available.

Eastern Washington Coordinators' Association Chairman, Dennis Williamson, gave a report. He reported that CBC had 17 additional FTEs for apprenticeship programs in their area this past year and that the electrical apprenticeship had actually grown and was expected to grow this year due to a mega-project there at Hanford Site.

Craig Boag, PLA specialist with Sound Transit, during the Western Washington Coordinators' Association talked about projects in the Seattle Area.

Lisa Rose introduced Cindy Streltzov, who is the new director of ANEW

Nancy Mason gave a report from Labor and Industries.

Marvin Jenkins with the Department of Transportation talked about the responsibility of employers and coordinators for affirmative action efforts and clarified procedures.

We also talked about the WACs, and the Coordinators' Association had a request for clarification on a

particular WAC, 296-05-316, Item 8, which talks about the responsibility of the JATC and employers for the safety of the apprentice.

Coordinators' Association is certainly concerned about the safety of the apprentice, and they feel that the new language that was added to this item warrants a clarification and/or possibly revision. We feel that it possibly shifts responsibility to the JATC, removing some responsibility that we feel the employer should take concerning the safety of our apprentices. So we request the Council review that, and I have copies here for those."

Office of Superintendent Public Instruction

No report.

Secretary, Washington State Apprenticeship and Training Council

Patrick Woods reported: this time last year we faced a whole series of things in apprenticeship when we were in Olympia. The session had nor or was just starting. A series of victories for apprenticeship and a whole array of issues.

He gave a little update of what has been done since then. With so many things happening, sometimes the milestones are lost. But last session had a historic piece of legislation, House Bill 1234 was signed by the Governor and really set the stage for apprenticeship to move into the workforce arena in a whole array of issues, similar to the comments made by Ellen O'Brien-Saunders from the Workforce Board.

Numerous comments were received, both nationally and statewide, as to the importance of that piece of legislation opening up apprenticeship while also ensuring that there is compliance. And that is the two-sided aspect to that; that when folks do participate in apprenticeship, it is under a level playing field and that those requirements will be adhered to. That's part of the integrity and success of apprenticeship.

In the legislation that passed last year, the Governor's budget did provide for \$1.2 million in new funds that would have allowed a number of outreach activities to take place. Unfortunately, the dollars that went with that were not as available as anticipated in the beginning as it wound-up in the end.

Apprenticeship and Labor and Industries have been working with Employment Security, the Workforce Board, and with all the entities that are involved in the Workforce Advancement Act to try to ensure that apprenticeship is there as a important tool that is used out in the community.

That goes to the other aspect he wanted to mention. Since last year, in the Workforce Board publications and in numerous other articles, apprenticeship is identified as what the governor mentions as "the world's best training system."

We are seeing much more interest in this, even in the Competitiveness Council. A lot of us have seen in the newspapers, the reports of the Competitiveness Council. A key element in the report is an effective workforce, a high-quality, high-wage workforce. Apprenticeship has been mentioned in that light and is a part of that recommendation. We intend to move forward with that.

Couple of other things brought to our attention is that in the months to come, a new computer system, ARTS. The apprenticeship computer system is being revamped. It will allow much easier web-based interaction for all of our stakeholders and those that use apprenticeship. This is going to be a great tool for all of the apprenticeship community.

With this, the amount of mailed items that are going out will be reduced. That should save between \$5 through \$7 thousand dollars a year. This is a very tight program, tightly run, so the savings is very important to us.

The other thing brought to our attention is that in this year's legislature, perhaps the most prominent bill, Governor's Transportation Package. If you look in that bill, there is a prominent position of apprenticeship. It is used as a tool to ensure that we have high-quality and cost-efficient construction. It is mentioned in that light, both for internal to the Department of Transportation and for the contractors that are involved in it.

Lastly, we are receiving a lot of attention, both statewide and nationally for set-asides for apprenticeship. This is a wonderful tool. Not everybody agrees with this, but we believe it is a tremendous tool that will enhance apprenticeship.

When folks say, "We need a qualified workforce, and we need to invest in it," it's going to take all of us doing that. So we encourage the Council's support of that and that they have been ardent supporters in the past.

WSATC Affirmative Action Subcommittee

Pete Crow read meeting minutes into the record: "The Affirmative Action Subcommittee met yesterday. Council members present were Pete Crow, LaFrank Newell, Karen Carter, Jesse Lill, and Anne Wetmore.

Under Old Business, Item 1, Douglas County Public Utility District No. 1 Apprenticeship Committee: It was moved, seconded, and carried to place on the April 2002 WSATC Quarterly Agenda to cancel the committee per the sponsor's request.

Item No. 2, Western Washington Stationary Engineers Apprenticeship Committee moved, seconded, and carried to rescheduled it to the April 2002 WSATC Affirmative Action Subcommittee Quarterly Agenda per the Western Washington Stationery Engineers Apprenticeship Committee's request.

Item No. 3, Inland Empire Roofers Apprenticeship Committee moved, seconded, and carried to end the 1997-98 Affirmative Action Compliance Review and have the 1999-2000 Affirmative Action Compliance Review completed for review at the April 2002 Affirmative Action Subcommittee quarterly meeting.

Item No. 4, Western States Boilermakers Apprenticeship Committee moved, seconded, and carried to end the 1997-98 Affirmative Action Compliance Review and have the 1999-2000 Affirmative Action Compliance Review completed for the review at the April 2002 Affirmative Action Subcommittee quarterly meeting.

Item No. 5, Lewis County P.U.D. No. 1 Lineman Apprenticeship Committee moved, seconded, and carried to end the 1997-98 Compliance Review due to less that five participants in the apprenticeship program.

Item No. 5, Inland Pacific Chapter Associated Builders and Contractors Electricians Apprenticeship Committee moved, seconded, and carried to remove sanctions and have the 1999-2000 Affirmative Action Compliance Review completed for review at the April 2002 Affirmative Action Subcommittee quarterly meeting.

Item No. 7, Inland Pacific Associated Builders, Contractors, Plumber Apprenticeship Committee moved, seconded, and carried to have the 1999-2000 Affirmative Action Compliance Review completed for the review at the 2002 Affirmative Action Subcommittee quarterly meeting.

Item No. 8, Inland Pacific Chapter Associated Builders and Contractors Sheet Metal Apprenticeship Committee moved, seconded and carried to remove sanctions and have the 1999-2000 Affirmative Action Compliance Review completed for review at the April 2002 Affirmative Action Subcommittee quarterly meeting.

Under New Business, moved, seconded and carried to accept the Glassier's Architectural Metal and Glasswork Apprenticeship Committee's quarterly report submitted by Kelly Human and end the 1997-98 Affirmative Action Compliance Review.

It was also moved, seconded, and carried to give committees a minimum of one quarter warning before placing a committee on sanctions.

Meeting adjourned at 9:50 a.m.

WSATC Annual Report Subcommittee

No report until April 2002.

WSATC Reciprocity Subcommittee

No report.

WSATC Special Subcommittee

No report.

WSATC Strategic Planning Committee

Committee did meet. Melinda Nichols will give a full report at the April 2002 WSATC Quarterly Meeting.

WSATC Tie-Breaker Committee

Report given during the Executive Session, 2 to 1 to approve the Inland AGC Labor Committee. **M/S/C** not to accept the Tie-Breaker Committee's report.

WSATC WAC/RCW Committee

Susan Crane read report into the record: "The Committee was established by the Council to review the Apprenticeship Rules, (formerly Chapter 296-04 of the WAC) for the purpose of applying clear rule writing principles. The Council later charged this Committee with the additional assignment of addressing the concerns from the U.S. Department of Labor, Office of Apprenticeship, Training, Employer, and Labor Services Division, (formerly known as BAT) – relative to both the Apprenticeship Rules and the Apprenticeship Act, (Chapter 49.04 RCW).

The Committee submits this report to provide you a final report – we really hope final report – on the progress of the RCW and WACs, to inform you of a minor, technical inconsistency that the Department has been informed now exists in the rules and a proposed solution.

The apprenticeship bill (Substitute House Bill 1234 and Chapter 204, Laws of 2001) was signed into law on May 7, 2001, went into effect on July 22, 2001. The new rules (Chapter 296-05 WAC) were adopted on October 31, 2001, and took effect today, January 17, 2002. Both of these accomplishments were made possible by a great deal of support, strong leadership, and countless hours of hard work by the Committee, the Council, and numerous other apprenticeship stakeholders, including the two staff members that we honored this morning.

These revised laws address the concerns identified in the U.S. Department of Labor and will ensure that the laws reflect the Council's practice. To that end, we request that the council recognize these accomplishments by approving the formal response to the USDOL audit that has been prepared for signature by the Chair, Vice-Chair, the Secretary – and the Secretary of the Council. This response will formally conclude the review and changes to the Apprenticeship Laws in response to the USDOL audit. We feel that these changes to the laws have addressed all the findings and recommendations presented by the USDOL in the August 27, 1999, letter to the Secretary. A copy of the new WACs and the RCWs will be provided to the USDOL with this letter.

Lastly, the Department has informed that they received numerous comments from one of our customers after the rules had been adopted that an inconsistency now existed in the rules relating to when referrals were required to be directed to the us – I mean, to the Office of Administrative Hearings. The inconsistency is between WAC 296-05-007 and 296-05-300 (attached to the report). As you can see, 296-05-007 requires objections to proposed standards and proposed amendments to be forwarded to OAH. However, WAC 296-05-300, Subsection 6, allows the Council to either adjudicate the objections themselves or to refer them to the Office of Administrative Hearings.

We recommend that the Council makes a motion and approve a policy that would defer to the new language in WAC 296-05-300, Subsection 6, thereby allowing the Council to have the discretion to either adjudicate matters, ourselves for example, (objections with proposed standards or proposed amendments to existing standards) or refer such material to the OAH.

In addition, we recommend that the Council instruct the Department to move forward with the 'expedited' rulemaking to correct the inconsistency by signing the proposed rules that are before you today. For your information, expedited rulemaking is a process, which does not require public hearings and is for purposes of

making non-substantive, clarification changes and/or corrections. The time line for these rulemaking changes includes a proposed rule filing date of January 23, 2002, proposed adoption date of April 26, 2002, and a proposed effective date of June 1, 2002.

Although these changes are not necessary to respond to the USDOL audit they will address the concerns that have been presented and ensure that the Council has the discretion to either adjudicate matters – for example, again, those objections to apprenticeship program standard – ourselves or refer them to the Office of Administrative Hearings."

Assistant Attorney General Nash, attorney for the Council, addressed an interpretation of the WAC 296-05-316, Subsection 8. By the wording of WAC 296-05-316, which describes and regulates apprenticeship agreements and standard requirements, the language reads in Subparagraph 8, "A provision to ensure that the sponsor provides for instruction of the apprentice during the apprentice's related/supplemental instruction in safe and healthful work practices in compliance with the Washington Industrial Safety and Health Act, and applicable federal and state regulations."

There's been concern regarding the language of this particular statute insofar as comments from the interested parties reflect the concern that this language may shift the burden of providing a safe and healthful workplace from the employer to the sponsor or the JATC.

This was not the Committee's intent, nor was it the intent of the RCW/WAC Rewrite Committee. It remains the Committee's intent that the provisions of RCW 51 and the WISHA be upheld.

And, therefore, the Council would move forward with an expedited rulemaking procedure just as was previously described by Susan Crane, would instruct the Department to move forward in order to correct this inconsistency, again for the purpose of making a non-substantive clarification change and/or corrections. We don't want this WAC to reflect any substantive change under RCW 51 or under the WISHA Act in Washington. And we don't propose to shift any burden that is not otherwise reflected in the law of the State of Washington.

Council Members

No reports.

EXECUTIVE SESSION:

Recessed for executive session at 10:14 AM.

WSATC Meeting reconvened at 11:26 AM.

UNFINISHED BUSINESS:

1. INLAND NORTHWEST CHAPTER ASSOCIATED GENERAL CONTRACTORS LABORERS APPRENTICESHIP COMMITTEE

Laborers (DOT 869.463-580) 4000 hours

M/S/Failed To approve the committee.

NEW BUSINESS:

Proposed Committees:

2. WASHINGTON BURGLAR & FIRE ALARM ASSOCIATION APPRENTICESHIP COMMITTEE

Fire & Burglar Alarm Technician (DOT 822.361-018) 4000 hours

M/S/C to approve.

3. INLAND NORTHWEST CHAPTER ASSOCIATED GENERAL CONTRACTORS LABORERS APPRENTICESHIP COMMITTEE

Laborers (DOT869.463-580) 4000 hours

Removed from the agenda because they don't have a committee, therefore their standards aren't under the agenda.

New Plant Program Standards:

NONE

Revised Standards:

4. CONSTRUCTION INDUSTRY TRAINING COUNCIL OF WASHINGTON APPRENTICESHIP COMMITTEE (PLUMBER)

Section 1: Geographical Area

Section 2: Minimum Qualifications

Section 6: Ratio of Apprentices to Journeymen

M/S/C To send Section 1: Geographical Area, to the Office of Administrative Hearings.

M/S/C To approve as proposed: Section 2 SCHEIT testing and Section 6, page 13 add the words "per job site".

5. PORT OF TACOMA APPRENTICESHIP COMMITTEE

New Occupation: Facilities Maintenance Mechanic (DOT 899.381-010) 8000 hours

Introductory Paragraph:

Section 4: Term of Apprenticeship

Section 8: Work Processes

Section 9: Related/Supplemental Instruction

Section 10: Administrative/Disciplinary Procedures

M/S/C To approve.

6. LEWIS COUNTY P.U.D. LINEMAN APPRENTICESHIP COMMITTEE

Name Change: LEWIS COUNTY P.U.D. NO. 1 APPRENTICESHIP COMMITTEE

Cover Page: Change Occupational Title from: METER REPAIRMAN to: METERMAN

Section 2: Minimum Qualifications

Section 3: Conduct of Program under Washington Equal Employment Opportunity Plan:

A. Selection Procedure

B. Affirmative Action Plan

Section 5: Probationary Period

Section 8: Work Processes

Section 9: Related/Supplemental Instruction

Section 10: Administrative/Disciplinary Procedures

M/S/C To approve replacing 'employer' with 'business location' and clarification as to the ratio of one meterman per business office location.

7. NORTHWEST WASHINGTON ELECTRICAL JOINT APPRENTICESHIP AND TRAINING COMMITTEE

Section 2: Minimum Qualifications

Section 6: Ratio of Apprentices to Journeymen

Section 9: Related/Supplemental Instruction

Karen Carter recused herself from any discussion or any vote on these standards.

M/S/C To approve Sections 2 and 9 only.

M/S/C To reject Section 6 due to no evidence to support the change.

8. OHOP MUTUAL LIGHT COMPANY AND IBEW #483 APPRENTICESHIP COMMITTEE

Section 6: Ratio of Apprentices to Journeymen

Section 9: Related/Supplemental Instruction

Section 11: Composition of Committee and Alternates

Section 13: Training Director/Coordinator

M/S/C To approve with the typo correction in Section 9 from 'filed trips' to 'field trips'.

9. PUBLIC UTILITY DISTRICT NO. 1 OF BENTON COUNTY, IBEW #77 APPRENTICESHIP COMMITTEE

Cover Page: Occupational Titles: from: ELECTRICAL MECHANIC, WIREMEN, ELECTRICIAN

to: STATION ELECTRICIAN;

from: METER REPAIRMAN to: METERMAN

Section 2: Minimum Qualifications

Section 3: Conduct of Program under Washington Equal Employment Opportunity Plan

A. Selection Procedures

B. Affirmative Action Plan

Section 7: Wage Progression

Section 9: Related/Supplemental Instruction

M/S/C To approve.

10. PUGET SOUND ELECTRICAL APPRENTICESHIP COMMITTEE

Section 2: Minimum Qualifications

Section 3: Conduct of Program under Washington Equal Employment Opportunity Plan

A. Selection Procedures

B. Affirmative Action Plan

Section 4: Term of Apprenticeship

Section 5: Probationary Period

Section 6: Ratio of Apprentices to Journeymen

Section 7: Wage Progression

Section 8: Work Processes

Section 9: Related/Supplemental Instruction

Section 10: Administrative/Disciplinary Procedures

Section 11: Composition of Committee & Alternates (introductory paragraph only)

M/S/C To approve.

11. SEATTLE AREA ROOFERS APPRENTICESHIP PROGRAM

Section 6: Ratio of Apprentices to Journeymen

M/S/C To reject the requested ratio change.

12. SEATTLE AUTOMOTIVE MACHINISTS APPRENTICESHIP COMMITTEE

Cover Page: Change Term of Apprenticeship for Trailer, Container & Van Repair Mechanic from

6000 hours **to** 8000 hours

Section 2: Minimum Qualifications

Section 5: Probationary Period Section 7: Wage Progression Section 8: Work Processes

Section 9: Related/Supplemental Instruction

M/S/C To approve.

13. SEATTLE BOILERMAKERS APPRENTICESHIP COMMITTEE

Section 10: Administrative/Disciplinary Procedures

M/S/C To approve.

14. SEATTLE AND VICINITY SPRINKLER FITTERS APPRENTICESHIP COMMITTEE

Section 7: Wage Progression

Section 10: Administrative/Disciplinary Procedures

M/S/C To approve.

15. SEATTLE MACHINISTS APPRENTICESHIP COMMITTEE

Cover Page: Remove Skill Occupational Objective HYDRO ELECTRIC MAINTENANCE

MACHINIST

Section 1: Geographical Area Covered (reduction in area covered)

Section 3: Conduct of Program under Washington Equal Employment Opportunity Plan

A. Selection Procedures:

Section 4: Term of Apprenticeship
Section 5: Probationary Period
Section 7: Wage Progression
Section 8: Work Processes

M/S/C To approve.

16. SOUTHWEST WASHINGTON DRYWALL FINISHERS APPRENTICESHIP COMMITTEE

Name Change: OREGON AND SOUTHWEST WASHINGTON DRYWALL FINISHERS

APPRENTICESHIP COMMITTEE

Cover Page: Occupational Titles: from: TAPER to: Drywall Finisher (Taper)

Section 2: Minimum Qualifications

Section 3: Conduct of Program under Washington Equal Employment Opportunity Plan

A. Selection Procedures:B. Affirmative Action Plan

Section 9: Related/Supplemental Instruction

Section 10: Administrative/Disciplinary Procedures Section 11: Composition of Committee & Alternates

Section 13: Training Director/Coordinator

M/S/C To approve with the following changes:

Minimum Qualifications

Other:

MOVE First sentence to section 10:

DELETE Second sentence.

Selection Procedure

CORRECTION (in bold) of Item 8 to read: Applicants who do not attend 1 of 3 orientation classes

will not be placed in the pool of eligibles. They will be notified of two subsequent orientation classes.

Administration/Disciplinary Procedures

CORRECTION (in bold) of Item B4) to read: attend and complete required related training classes.

DELETE Item D, last paragraph;

CORRECTION (in bold) of Item I, last paragraph to read: If they still feel aggrieved, they must file a written appeal to the JATC. The JATC will review the appeal within 30 days. The JATC must make a written decision within thirty (30) days from the date that the matter was heard. If the Apprentice or TA still feels aggrieved, either can file a written complaint with the State Registration Agency.

Training Director/Coordinator

Requested that the Training Director be changed to read:

Michelle McKenna 12687 NE Whitaker Way Portland OR 97230

17. TACOMA MACHINIST APPRENTICESHIP COMMITTEE

Section 2: Minimum Qualifications

Section 10: Administrative/Disciplinary Procedures

M/S/C To approve.

18. WESTERN STATES OPERATING ENGINEERS INSTITUTE OF TRAINING APPRENTICESHIP COMMITTEE

Section 2: Minimum Qualifications

Section 3: Conduct of Program under Washington Equal Employment Opportunity Plan

A. Selection Procedures

B. Affirmative Action Plan

Section 6: Ratio of Apprentices to Journeymen

Section 7: Wage Progression

Section 9: Related Supplemental Instruction Section 13: Training Director/Coordinator

M/S/C To send to the RSI Trades Committee for review of the change in Section 9 that has been suggested concerning the removal of the community colleges in the RSI section. RSI Trades Committee to provide recommendation to the Council at the next quarterly meeting.

19. WESTERN WASHINGTON LATHING, ACOUSTICAL & DRYWALL SYSTEMS & THERMAL INSULATION INSTALLERS APPRENTICESHIP COMMITTEE

Cover Sheet: Occupational Title: **combine:** DRYWALL, METAL STUD, & CEILING APPLICATOR **and** RESIDENTIAL DRYWALL APPLICATOR **to:** GYPSUM DRYWALL SYSTEM INSTALLER/RESIDENTIAL DRYWALL APPLICATOR; **from:** THERMAL INSULATION INSTALLER **to:** INSULATOR APPLICATOR

Introductory Paragraph

Section 1: Geographical Area Covered (statement containing neighboring state of Alaska)

Section 2: Minimum Qualifications

Section 3: Conduct of Program under Washington Equal Employment Opportunity Plan

A. Selection Procedures:

B. Affirmative Action Plan

Section 4: Term of Apprenticeship

Section 5: Probationary Period

Section 6: Ratio of Apprentices to Journeymen

Section 7: Wage Progression Section 8: Work Processes

Section 9: Related/Supplemental Instruction
Section 10: Administrative/Disciplinary Procedures

Section 11: Composition of Committee and Alternates (introductory paragraph only)

M/S/C To approve.

20. WESTERN WASHINGTION OPERATING ENGINEERS APPRENTICESHIP COMMITTEE

Section 3: Conduct of Program under Washington Equal Employment Opportunity Plan:

A. Selection Procedure

Section 5: Probationary Period

Section 9: Related/Supplemental Instruction

Section 10: Administrative/Disciplinary Procedures

M/S/C To approve with the deletion of 'designated authority' in the first sentence of the Probationary, Period Section 5.

Revised Plant Program Standards:

21. CITY OF CHEWELAH PLANT APPRENTICESHIP STANDARDS

Section 2: Minimum Qualifications

Section 7: Wage Progression

M/S/C To approve with clarification of ratio shall apply per jobsite.

22. HONEYWELL MACHINIST APPRENTICESHIP PLANT PROGRAM

Section 10: Administrative/Disciplinary Procedures

M/S/C To approve.

23. UNIVERSITY OF WASHINGTON INSTRUMENT MAKER APPRENTICESHIP PLANT STANDARDS

Cover Page: Change Term of Apprenticeship for Instrument Maker from 10000 hours to 8000 hours

Section 4: Term of Apprenticeship

Section 7: Wage Progression Section 8: Work Processes

M/S/C To approve.

Cancellation Of New Apprenticeship Committees:

NONE

Cancellation Of Apprenticeship Standards:

24. CHILD CARE RESOURCE AND REFERRAL APPRENTICESHIP COMMITTEE (Department's Request)

- 25. COSTCO, FEDERAL WAY, WASHINGTON'S DISPENSING OPTICIAN APPRENTICESHIP PROGRAM (Sponsor's Request)
- 26. COSTCO, SILVERDALE, WASHINGTON'S DISPENSING OPTICIAN APPRENTICESHIP

- PROGRAM (Sponsor's Request)
- 27. COSTCO, SOUTHCENTER, WASHINGTON'S DISPENSING OPTICIAN APPRENTICESHIP PROGRAM (Sponsor's Request)
- 28. COSTCO, TACOMA, WASHINGTON'S DISPENSING OPTICIAN APPRENTICESHIP PROGRAM (Sponsor's Request)

M/S/C To approve cancellation of apprenticeship standards of Items 24 through 28.

Cancellation Of Plant Standards:

- 29. LAW OFFICES OF WILLIAM F. DIPPOLITO PLANT APPRENTICESHIP STANDARDS (Sponsor's Request)
- 30. PEARLE VISION/PEARLE EYE & TECH PLANT APPRENTICESHIP STANDARDS (Sponsor's Request)
- 31. VISION CENTER AT COLUMBIA PLANT APPRENTICESHIP STANDARDS (Sponsor's Request)
- **32.** VISIONS NORTHWEST PLANT APPRENTICESHIP STANDARDS (Sponsor's Request) M/S/C To approve cancellation of plant standards of Items 29 through 32.

ADMINISTRATIVELY APPROVED REVISIONS:

Composition of Committee:

- 33. AVISTA CORPORATION APPRENTICESHIP COMMITTEE
- 34. BREMERTON AREA PLUMBERS & STEAMFITTERS APPRENTICESHIP COMMITTEE
- 35. CONSTRUCTION INDUSTRY TRAINING COUNCIL OF WASHINGTON APPRENTICESHIP COMMITTEE (CARPENTER)
- 36. CONSTRUCTION INDUSTRY TRAINING COUNCIL OF WASHINGTON APPRENTICESHIP COMMITTEE (ELECTRICAL)
- 37. CONSTRUCTION INDUSTRY TRAINING COUNCIL OF WASHINGTON APPRENTICESHIP COMMITTEE (HVAC)
- 38. CONSTRUCTION INDUSTRY TRAINING COUNCIL OF WASHINGTON APPRENTICESHIP COMMITTEE (PAINTER)
- 39. CONSTRUCTION INDUSTRY TRAINING COUNCIL OF WASHINGTON APPRENTICESHIP COMMITTEE (PLUMBER)
- 40. CONSTRUCTION INDUSTRY TRAINING COUNCIL OF WASHINGTON APPRENTICESHIP COMMITTEE (SHEET METAL)
- 41. COWLITZ AND WAHKIAKUM COUNTIES ELECTRICAL WORKERS APPRENTICESHIP COMMITTEE
- 42. COWLITZ ASSOCIATION FOR EDUCATION OF YOUNG CHILDREN APPRENTICESHIP COMMITTEE
- 43. DISPENSING OPTICIAN JOINT APPRENTICESHIP AND TRAINING COMMITTEE
- 44. EARLY CARE AND EDUCATION APPRENTICESHIP COMMITTEE
- 45. GEORGIA PACIFIC AND THE AWPPW LOCAL #5 APPRENTICESHIP COMMITTEE
- 46. GOLDENDALE ALUMINUM COMPANY INDUSTRIAL MAINTENANCE ELECTRICIAN APPRENTICESHIP COMMITTEE
- 47. GOLDENDALE ALUMINUM COMPANY INDUSTRIAL MAINTENANCE MILLWRIGHT APPRENTICESHIP COMMITTEE
- 48. INLAND EMPIRE PLUMBING & PIPEFITTING INDUSTRY APPRENTICESHIP TRAINING COMMITTEE
- 49. KENT FIRE FIGHTERS APPRENTICESHIP COMMITTEE
- 50. LU 112 NECA ELECTRICAL APPRENTICESHIP COMMITTEE
- 51. NORTHEASTERN WASHINGTON-NORTHERN IDAHO SHEET METAL APPRENTICESHIP COMMITTEE
- 52. NORTHWEST AUTOMOTIVE HEAVY DUTY EQUIPMENT APPRENTICESHIP COMMITTEE
- 53. OHOP MUTUAL LIGHT COMPANY AND IBEW #483 APPRENTICESHIP COMMITTEE
- 54. OREGON & SOUTHWEST WASHINGTON MASON TRADES APPRENTICESHIP COMMITTEE
- 55. PENINSULA LIGHT COMPANY APPRENTICESHIP COMMITTEE
- 56. PORT OF TACOMA APPRENTICESHIP COMMITTEE
- 57. SEATTLE AND VICINITY SPRINKLER FITTERS APPRENTICESHIP COMMITTEE
- 58. SEATTLE AUTOMOTIVE MACHINISTS APPRENTICESHIP COMMITTEE
- 59. SEATTLE BOILERMAKERS APPRENTICESHIP COMMITTEE
- 60. SOUTHWEST WASHINGTON ELECTRICAL WORKERS APPRENTICESHIP COMMITTEE
- 61. TRANSTECH ELECTRIC, INC. APPRENTICESHIP COMMITTEE
- 62. WESTERN OREGON AND SOUTHWEST WASHINGTON INDUSTRIAL PAINTERS

APPRENTICESHIP COMMITTEE

- 63. WESTERN WASHINGTON LATHING, ACOUSTICAL & DRYWALL SYSTEMS & THERMAL INSULATION INSTALLERS APRENTICESHIP COMMITTEE
- 64. WEYERHAEUSER COMPANY APPRENTICESHIP COMMITTEE (RAYMOND)

M/S/C To approve the administrative revisions to Composition of Committee Items 33 through 64.

Name Change:

NONE

Related/Supplemental Instruction:

NONE

Selection Procedure:

65. LU 112 - NECA ELECTRICAL APPRENTICESHIP COMMITTEE

M/S/C To approve.

Wage Progression:

- 66. KENNEWICK FIRE DEPARTMENT FIREFIGHTER APPRENTICESHIP COMMITTEE
- 67. LU 112-NECA ELECTRICAL APPRENTICESHIP COMMITTEE
- 68. THE BOEING/IAM JOINT APPRENTICESHIP COMMITTEE
- 69. WESTERN STATES BOILERMAKERS APPRENTICESHIP COMMITTEE

M/S/C To approve the progressions for Items 66 through 69.

Sub-Committee:

NONE

Training Director/Coordinator:

- 70. NORTHWEST AUTOMOTIVE HEAVY DUTY EQUIPMENT APPRENTICESHIP COMMITTEE
- 71. OREGON & SOUTHWEST WASHINGTON MASON TRADES APPRENTICESHIP COMMITTEE
- 72. WESTERN OREGON AND SOUTHWEST WASHINGTON INDUSTRIAL PAINTERS APPRENTICESHIP COMMITTEE

M/S/C To approve the changes in Training Director/Coordinators Items 70 through 72.

Composition of Committee (Introductory Paragraph Only):

73. WESTERN WASHINGTON PAINTING, DECORATING & DRYWALL APPRENTICESHIP COMMITTEE

M/S/C To approve.

Plant Program Composition of Committee:

74. LAW OFFICE OF WILLIAM F. DIPPOLITO PLANT APPRENTICESHIP STANDARDS M/S/C To approve.

Revised Plant Program Pending:

NONE

<u>Administrative Approval Pending:</u>

75. INTALCO ALUMINUM CORPORATION JOINT APPRENTICESHIP COMMITTEE (Request for Revision of Joint Committee)

M/S/C To approve.

THURSDAY APPEAL HEARINGS (1:00 – 4:30 PM)

ROLL CALL – Appeal Hearings

1. PUGET SOUND ELECTRICAL JATC

"APPRENTICE APPEAL"

CASE NUMBER – 01-45 (Kenneth L. Carpenter)

2. PUGET SOUND ELECTRICAL JATC

"APPRENTICE APPEAL"

CASE NUMBER – 01-48 (Ralph J. Gwerder)

3. PUGET SOUND ELECTRICAL JATC

"APPRENTICE APPEAL"

CASE NUMBER – 01-34 (Mark S. Johnson)

4. SEATTLE AREA PLUMBING & PIPEFITTING INDUSTRY JATC

"APPRENTICE APPEAL"

CASE NUMBER – 01-64 (Robert M. Caswell)

ADJOURNMENT - THURSDAY SESSION

FRIDAY SESSION

MEETING CALLED TO ORDER

ROLL CALL

AGENDA ITEM MOTIONS

REQUEST FOR RECONSIDERATION:

Case 01-33 (Frances Nelson vs. City of Tacoma, Light Division)

M/S/C To refer this matter to the Office of Administrative Hearings for formal adjudicated proceedings.

GOOD AND WELFARE

Duane Lee voiced a concern to the Council and to Nancy's office. There's a report given by John Lynch, Department of General Administration. Mr. Lee questioned Mr. Lynch regarding a list of these apprentices working under the Governor's Executive Order for the apprenticeship set-asides. Mr. Lee's concern is that no list exists, that the contractors supply this information. Would it be a big deal for the contractor to report the craft, the name of the apprentice, the registration number, and the hours worked for these set-asides? Mr. Lynch said he will be meeting with his staff in two weeks and discuss this. Mr. Lee would like to get this rectified.

Anne Wetmore, ATELS, shared with the Council that when one looks at the cancellation of some of the programs like Costco, Dispensing Opticians, and Pearl Vision, it looks like we're losing quite a few programs. But, just for the record, to mention that the reason is because they're becoming a part of the Dispensing Opticians JATC. So, rather than losing programs, we're keeping the employers. Another point Ms. Wetmore shared is that with the new ARTS system there will be the ability to keep track of training agents that the L&I keeps track of and the public could be aware of how many employers we really do work with and have participating apprenticeships. The really important thing is people look at how we do it because we have so many programs, but we also are working with so many employers.

Tony Lewis, Training Director of the Southwest Washington Electrical JATC, announced a reminder about the Women-in-Trades Fair in Pierce County in Tacoma.

DATE AND LOCATION OF NEXT MEETING:

APRIL 17-19, 2002 WESTCOAST TRI-CITIES HOTEL 1101 NORTH COLUMBIA CENTER BOULEVARD KENNEWICK, WASHINGTON 99336-1192

FUTURE MEETING SITES:

JULY 2002 VANCOUVER OCTOBER 2002 SPOKANE JANUARY 2003 TUMWATER APRIL 2003 LAKE CHELAN

ADJOURNMENT: 9:39 A.M.